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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,440	04/11/2001	Steve Morsa		7403

7590 07/18/2006

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EXAMINER

OUELLETTE, JONATHAN P

ART UNIT PAPER NUMBER

3629

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/832,440	MORSA, STEVE	
	Examiner	Art Unit	
	Jonathan Quellette	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 181-270 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 181-270 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Request for Continued Examination*

1. The Request filed on 5/22/2006 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/832,440 is acceptable and a RCE has been established. An action on the RCE follows.

### *Response to Amendment*

2. Claims 1-180 have been cancelled and Claims 181-270 have been added; therefore, Claims 181-270 are now pending in application 09/832,440.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent

4. Claims 181-270 are rejected under 35 U.S.C. 102(a) as being anticipated by PMA ("Peter Martin Releases HelpWorks Web Edition," Business Wire, September 28, 1999).
5. As per independent Claims 181, 203, 225, 247, and 269-272, PMA discloses a system [method, computer-readable code, mechanism] for permitting an individual [business, government, educational institutional, or non-profit] to more effectively make use of a

- variety of available benefits from a plurality of benefit providers (Pg.4-5; Pg.24-25, Para 3, Can be configured to evaluate any or all benefits and programs requires - Federal, State and/or Local), wherein said benefits are offered specifically to those individuals eligible to receive said benefits (Pg.8, Purpose of eligibility screening system), said system comprising: means for storing in memory in the system benefit information, benefit provider information, and benefit correlation information (Pg.24-25, Para 3-5, Eligibility Library); means for inputting into said system a set of an individual demographic, geographic, an psychographic data for said individual (Pg.4, HelpWorks can be "taught" to screen for any criteria; Pg.10 Robust question pool to use as a starting point); means for analyzing said individuals data, said benefit provider information, and said benefit correlation information to determine whether any benefit providers are offering potentially applicable benefits for said data and whether said data satisfies requirements for obtaining said potentially applicable benefits (Pg.24-25, Para 3-5, Eligibility Screening); means for automatically generating a message to directly inform said individual, at least in part via a computer network, of any benefits applicable to said individuals data (Pg.24-25, Para 4-5, Web enabled self-service module).
6. As per Claims 182, 204, 226, and 248, PMA discloses means for the display of said benefits to said individual in a manner selected from the group consisting of benefit class or category; value of benefits; cost, if any, of benefits; importance of benefits; relevance of benefits; ease of use of benefits; expiration date, day, time of benefits; creation date, day, time of benefits; *types of benefits*; physical proximity of said individual to one or more of said benefit providers (Pg.8, in-depth program information provided to clients).

7. As per Claims 183, 205, 227, and 249, PMA discloses means for said individual to self-select said manner of benefits listing display (user configurable).
8. As per Claims 184, 206, 228, and 250, PMA discloses means for the storage of at least a portion of said individuals data (database capabilities).
9. As per Claims 185, 207, 229, and 251, PMA discloses means for updating the status and or availability of benefits for said individual as: at least one of said benefit providers intends to or actually does modify the existing benefit qualification parameters for one or more of said providers benefits; and or at least one of said benefit providers intends to or actually does modify or eliminate an existing benefit, or offers one or more benefits not previously offered; and or one or more individual applicable benefits offered by one or more benefit providers new to, or returning to, said system are added to said system (user configurable).
10. As per Claims 186, 208, 230, and 252, PMA discloses means for the real time or later notification of said individual of said updating (e-mail capability).
11. As per Claims 187, 209, 231, and 253, PMA discloses means for the selection or election of when said individual receives said notifications (user configurable).
12. As per Claims 188, 210, 232, and 254, PMA discloses means of requiring said individual to update said individuals data as a condition of said individual continuing to remain a system user (component of updating client information).
13. As per Claims 189, 211, 233, and 255, PMA discloses means for said individual and or at least one of said benefit providers to pay for said system access and use from at least one from the group of: on a per benefit disclosed basis; on a per benefit received basis; on a per benefit utilized basis; through said individuals relinquishment of at least a portion of at least

one of said benefits; through the *cash or cash equivalent payment of some part* or percentage of the value of at least one of said benefits (Cost of PMA system).

14. As per Claims 190, 212, 234, and 256, PMA discloses means for receiving directly and or via one or more third party intermediaries of monetary revenue and or other value from at least one benefit provider (PMA Commerce).
15. As per Claims 191, 213, 235, and 257, PMA discloses means for one or more from the group of: updating benefits data; modifying benefits data; removing benefits data; adding new benefits data (user configurable).
16. As per Claims 192, 214, 236, and 258, PMA discloses means for said message to: reveal one or more of said benefits not applicable to individual; provide one or more of said benefit providers not applicable; provide one or more of said benefit providers benefit application forms; *provide one or more of said benefit providers contact information*; provide a map for and or direction to one or more of said benefit providers.
17. As per Claims 193, 215, 237, and 259, PMA discloses at least one from the group of: means for connecting said individual with at least one of said plurality of benefit providers; *means for said individual to interact with at least one of said benefits to said individual*; means for the completion of one or more application forms, when applicable, by said individual; means for assisting transmitting at least one benefit approval for said individual by at least one of said benefit providers; means for transmitting an acceptance of at least one of said benefits by said individual; means for receiving at least one of said benefits by said individual; means for utilizing at least one of said benefits by said individual.

18. As per Claims 194, 216, 238, and 260, PMA discloses means for performing at least one of the listed means for in real or near real time (Web-based system).
19. As per Claims 195, 217, 239, and 261, PMA discloses wherein said individual benefits or benefits information is shared with at least one other entity via said system (Provide user results).
20. As per Claims 196, 218, 240, and 262, PMA discloses wherein said message includes at least one benefit for which said individual: *may qualify for*; and or may not qualify for; and or does qualify for; and or does not qualify for.
21. As per Claims 197, 219, 241, and 263, PMA discloses wherein said message informs individual of at least one benefit contained within said memory without regards to at least some part of said individuals data (User configurable – open criteria).
22. As per Claims 198, 220, 242, and 264, PMA discloses wherein one or more of said benefit providers submit said benefit information and or said benefits directly into said system (User configurable).
23. As per Claims 199, 221, 243, and 265, PMA discloses wherein at least one of said benefit information and or said benefits from at least one of said benefit providers is delivered directly into said system via at least one third party intermediary acting on behalf of at least one of said benefit providers (PMA configured presets – government benefits).
24. As per Claims 200, 222, 244, and 266, PMA discloses wherein said available benefits vary according to: the amount of said individual's data; and or the completeness of said individual's data (User set criteria).

25. As per Claims 201, 223, 245, and 267, PMA discloses wherein at least a partial set of phantom individuals data is inputted; wherein said phantom data does not belong to nor correspond to said individuals actual factual data (User configurable criteria).
26. As per Claims 202, 224, 246, and 268, PMA discloses wherein said individuals data includes *said* individuals identification information (User configurable criteria).

***Response to Arguments***

27. Applicant's arguments filed 5/22/06, with respect to Claims 181-270, have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
29. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
30. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.



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Art Unit: 3629

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June 15, 2006



Jonathan Ouellette  
Patent Examiner  
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